

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BUD A LARSON,

Petitioner,

v.

DON HOLBROOK,

Respondent.

CASE NO. 3:15-CV-05606-RBL-DWC

ORDER DENYING MOTION FOR
EXTENSION OF TIME AS MOOT

The District Court has referred this action filed under 28 U.S.C. § 2254 to United States Magistrate Judge David W. Christel. Currently pending in this matter is Petitioner's Motion for an Extension of Time. Dkt. 10.

Petitioner filed his Petition on August 26, 2015. Dkt. 1, 3. The Court ordered Petitioner to show cause why his Petition should not be dismissed for failure to exhaust and file an amended petition. Dkt. 4. On December 4, 2015, Petitioner filed an Amended Petition alleging facts sufficient to allege exhaustion at this stage in the proceedings and the Amended Petition was served on Respondent. *See* Dkt. 9, 11.

1 The Court finds the Amended Petition satisfies the Order to Show Cause and Petitioner is
2 not required to make a further showing. Accordingly, the Motion for Extension of Time to allow
3 Petitioner to file a response to the Order to Show Cause is denied as moot.

4 Dated this 6th day of January, 2016.

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7 David W. Christel
8 United States Magistrate Judge
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